

NEBRASKA DEPARTMENT  
OF INSURANCE

BEFORE THE DEPARTMENT OF INSURANCE  
STATE OF NEBRASKA

AUG 5 2002

FILED

STATE OF NEBRASKA  
DEPARTMENT OF INSURANCE,

PETITIONER,

VS.

KAY A. RIDER,

RESPONDENT.

CONSENT ORDER

CAUSE NO. A-1475

In order to resolve this matter, the Nebraska Department of Insurance ("Department"), by and through its attorney, Eric Dunning, and Kay Rider, ("Respondent"), mutually stipulate and agree as follows:

JURISDICTION

1. The Department has jurisdiction over the subject matter and Respondent pursuant to Neb.Rev.Stat. §44-101.01 and Article 40 of Chapter 44 of the Nebraska Revised Statutes.

2. Respondent was licensed as an insurance producer under the laws of Nebraska at all times material hereto.

STIPULATION

1. The Department initiated this administrative proceeding by filing a Petition styled State of Nebraska Department of Insurance vs. Kay Rider, Cause Number A-1475 on July 18, 2002. A copy of the Petition was served upon the Respondent at the Respondent's registered address with the Department by certified mail, return receipt requested.

2. Said Petition alleges that the Respondent has violated Neb.Rev.Stat. § 44-4059 (1) (h), and (1) (j) which state that the Director may impose a fine, suspend or revoke

an agent's license if that person has engaged in "[u]sing fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in this state or elsewhere", or "[f]orging another's name to an application for insurance or to any document related to an insurance transaction", as a result of the following conduct:

- a. On or about October 14, 1995, the Respondent submitted a request for policy loan to Lincoln Benefit Life Insurance Company against a policy owned by Dixie Skeahan, policy number U0192682 in the amount of \$8500. Respondent forged Dixie Skeahan's name on this request and submitted it to Lincoln Benefit Life Insurance Company.
- b. On or about February 9, 1996, the Respondent submitted a request for policy loan to Lincoln Benefit Life Insurance Company against a policy owned by Dixie Skeahan, policy number U0192682 in the amount of \$4000. Respondent forged Dixie Skeahan's name on this request and submitted it to Lincoln Benefit Life Insurance Company.
- c. On or about April 17, 1997, the Respondent submitted a request for policy loan to Lincoln Benefit Life Insurance Company against a policy owned by Dixie Skeahan, policy number U0192682 in the amount of \$3000. Respondent forged Dixie Skeahan's name on this request and submitted it to Lincoln Benefit Life Insurance Company.
- d. On or about March 5, 1998, the Respondent submitted a request for policy loan to Lincoln Benefit Life Insurance Company against a policy owned by Dixie Skeahan, requesting the "maximum amount available on my policy number U0192682", to be sent to a P.O. Box rented by Respondent. Respondent forged Dixie Skeahan's name on this request and submitted it to Lincoln Benefit Life Insurance Company.
- e. On or about February 8, 1999, the Respondent submitted a request for surrender of annuity to Jackson National Life Insurance Company regarding an annuity owned by Dixie Skeahan, policy number 0031660020. Respondent forged Dixie Skeahan's name on this request and submitted it to Jackson National Life Insurance Company.
- f. On or about February 1, 1999, the Respondent submitted a partial withdrawal request to Jackson National Life Insurance Company against an annuity owned by Dixie Skeahan, policy number 0031660020 in the amount of \$8500. Respondent forged Dixie Skeahan's name on this request and submitted it to Lincoln Benefit Life Insurance Company.

g. On or about October 14, 1998, the Respondent submitted a request for surrender of annuity to Jackson National Life Insurance Company regarding an annuity owned by Dixie Skeahan, policy number 0036978190 for the maximum amount available on the account. Respondent forged Dixie Skeahan's name on this request and submitted it to Jackson National Life Insurance Company.

3. Respondent was informed of her right to a public hearing. Respondent does not admit the allegations contained in the Petition and restated in Paragraph Two above; however, Respondent does not wish to contest the Petition nor the request that Respondent's insurance agent's license be revoked.

4. It is further agreed that the Department of Insurance is not requesting the imposition of any administrative fines and that the Respondent will never apply for another insurance license.

5. Accordingly, Respondent hereby waives her right to a public hearing and enters into this Consent Order freely and voluntarily. Respondent understands and acknowledges that by waiving her right to a public hearing, Respondent also waives her right to confrontation of witnesses, production of evidence, and judicial review.


#### CONCLUSIONS OF LAW

Respondent's conduct as alleged above constitutes a violation of Neb.Rev.Stat. §44-4059 (1) (h) and (1) (j).

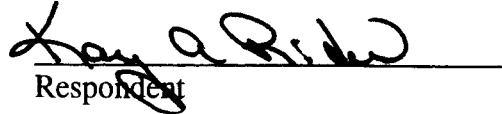
#### CONSENT ORDER

It is therefore ordered by the Director of Insurance and agreed to by Respondent that Respondent's Nebraska insurance agent's license is hereby revoked. The Nebraska Department of Insurance shall retain jurisdiction of this matter for the purpose of enabling the Respondent or the Department to make application for such further orders as may be necessary.

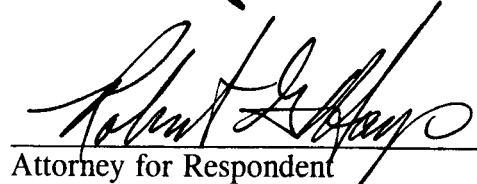
In witness of their intention to be bound by this Consent Order, each party has executed this document by subscribing his or her signature below.

  
Eric Dunning  
Attorney for Nebraska  
Department of Insurance  
941 "O" Street, Suite 400  
Lincoln, Nebraska 68508  
(402) 471-2201

Date: 8/2/02

  
Respondent

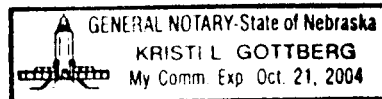
Date: August 2, 2002

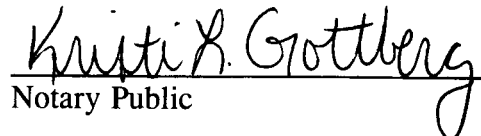
  
Attorney for Respondent

Date: August 2, 2002

State of Nebraska )  
County of Lancaster ) ss.

On this 2nd day of August, 2002, Kay Rider appeared before me and read this Consent Order, executed the same and acknowledged the same to be his voluntary act and deed.



  
Notary Public

I hereby certify that the foregoing Consent Order is adopted as the Final Order of the Nebraska Department of Insurance in the matter of State of Nebraska Department of Insurance vs. Kay Rider, Cause No. A-1475.

STATE OF NEBRASKA  
DEPARTMENT OF INSURANCE

  
L. TIM WAGNER  
Director of Insurance

August 5, 2002  
Date

# CERTIFICATE OF SERVICE

I hereby certify that a copy of the executed Consent Order was sent to the Respondent at 312 Haverford Drive, Lincoln, Nebraska 68510 by certified mail, return receipt requested on this 5<sup>th</sup> day of August 2002.

Stacy M. Bellmunk